

Chevy Chase Village Board of Managers

July 9, 2007

BOARD OF MANAGERS

Douglas B. Kamerow, Chair	Present
David L. Winstead, Vice Chair	Absent
Susie Eig, Secretary	Present
Gail S. Feldman, Treasurer	Present
Betsy Stephens, Assistant Treasurer	Absent
Peter M. Yeo, Board Member	Present
Robert L. Jones, Board Member	Absent

STAFF

David R. Podolsky, Legal Counsel	Present
Ronald M. Bolt, Assistant Legal Counsel	Present
Geoffrey B. Biddle, Village Manager	Present
Roy A. Gordon, Police Chief	Present
Michael W. Younes, Administrative Assistant	Present

Dr. Douglas B. Kamerow, Chair of the Chevy Chase Village Board of Managers, called the meeting to order at 7:32 p.m.

Approval of Minutes from the June 11, 2007 Board Meeting (Regular and Executive Sessions) and the June 21, 2007 Special Board Meeting.

Ms. Eig submitted changes to the minutes prior to the meeting.

Mr. Yeo made a motion to approve the amended minutes of the June 11, 2007 Board Meeting (Regular and Executive Sessions) and the June 21, 2007 Special Board Meeting. Ms. Eig seconded the motion. Dr. Kamerow, Ms. Eig, Ms. Feldman and Mr. Yeo voted in favor of the motion. The motion passed.

Treasurer's Report

The Treasurer's report was distributed to the Board prior to the meeting. Discussion followed.

Committee Reports

Budget Committee

Samuel Lawrence, Chair of the Budget Committee, stated that the Committee met the last week in June to discuss potential speed camera revenues and their impact on the budget. Due to delays in the permitting process, the Committee has decided to postpone any further discussions until October.

Decisions on Previous Appeals

None.

Appeals

W-1: Mr. and Mrs. Ronald Rosenfeld, 104 Newlands Street – The applicants seek a waiver from the application of the moratorium on the issuance of demolition permits to permit the demolition of the existing main residence and detached garage located at 104 Newlands Street.

A-5256: Mr. and Mrs. Ronald Rosenfeld, 104 Newlands Street – (a) Demolition of an existing main residence; (b) Demolition of an existing detached garage located in the east side yard of the property. Mr. and Mrs. Rosenfeld were in attendance and presented their request.

Mr. Rosenfeld stated that their intentions are to demolish the main residence and detached garage on the property and landscape the lot as an extension of their backyard at 111 East Melrose Street. Mr. Rosenfeld added that they had no plans to build on the land or sell it to a third party.

Mr. Rosenfeld asked the Board for a waiver from the moratorium due to the hardships created by maintaining and providing security for the house as well as the on-going cost of utilities.

Dr. Kamerow asked about what measures would be taken to address the removal of asbestos if it is found in the house. Brendan O'Neill Jr., architect and contractor for Mr. and Mrs. Rosenfeld, responded that an asbestos report has been submitted to the Board and that a company licensed and certified by the State of Maryland in asbestos removal will be retained to remove any asbestos.

Ms. Eig recommended approval.

Mr. Yeo asked if there were any plans to develop the lot. Mr. Rosenfeld responded that “he has” no current plans to develop or build on the lot.

Ms. Feldman made a motion to direct Counsel to draft a decision approving the waiver from the application of the moratorium on the issuance of demolition permits to permit the demolition of the existing main residence and detached garage located at 104 Newlands Street with the condition that no new construction is allowed during the moratorium; and approving the (a) demolition of an existing main residence; and (b) demolition of an existing detached garage located in the east side yard of the property. Ms. Eig seconded the motion. Dr. Kamerow, Ms. Eig, Ms. Feldman and Mr. Yeo voted in favor of the motion. The motion passed.

W-2: Mr. and Mrs. Darius N. Brown, 5700 Kirkside Drive – The applicants seek a waiver from the application of the moratorium on the issuance of building permits for additions to their main residence which would result in an increase in the total footprint in excess of 500 square feet. The applicants propose to construct an addition resulting in a total additional increase in footprint of 584 square feet located in the Park Street front yard and extending along the west side yard of the property. Mr. Brown was in attendance and presented his request.

Mr. Brown stated that his family recently moved into the Village to be closer to their children's schools. Mr. Brown added that he requested a waiver from the application of the moratorium because his daughter suffers from a severe learning disability that impairs her ability to deal with change. Her teachers opined that the disruption and change associated with the proposed addition would be less traumatic if it were combined with the stresses of moving to the new house.

Ms. Eig stated that the design is not going to conflict with the Village's character and that the design conformed to all the design processes discussed in the building regulation review survey (e.g. size, length of exterior walls, roof height and scale).

Ms. Feldman stated that the addition was only "moderately" above the 500 square foot threshold and that the applicants had demonstrated a hardship.

Margaret Cook of 5410 Center Street stated that she did not see why Mr. and Mrs. Brown could not wait until after the moratorium expired and was not in favor of the Board granting a waiver.

Polly Coreth of 5508 Park Street submitted a letter prior to the meeting and testified in person that she was in favor of the Board granting a waiver.

Mr. Yeo made a motion to direct Counsel to draft a decision approving the waiver from the application of the moratorium on the issuance of building permits for additions to the main residence, which would result in an increase in the total footprint in excess of 500 square feet. The applicants propose to construct an addition resulting in a total additional increase in footprint of 584 square feet located in the Park Street front yard and extending along the west side yard of the property. Ms. Eig seconded the motion. Dr. Kamerow, Ms. Eig, Ms. Feldman and Mr. Yeo voted in favor of the motion. The motion passed.

A-1626: Mr. and Mrs. Darius N. Brown, 5700 Kirkside Drive - Removal of one Hemlock tree measuring 14.0 inches in diameter located in the rear yard of the property. Mr. Brown was in attendance and presented their request.

Mr. Brown stated that he wishes to remove the Hemlock tree in order to accommodate a proposed addition. Mr. Brown added that he had spoken with the Village Arborist, who stated that the tree would be damaged or destroyed during any construction associated with the proposed addition.

Samuel Lawrence, member of the Village Tree Committee, stated he was comfortable with the removal as long as a replacement tree is planted.

Richard Marsh, member of the Village Tree Committee, submitted an email prior to the meeting in which he wrote he did not object to the removal of the tree as long as at least one replacement tree is planted.

Ms. Eig stated that because many of the trees on the lot have been approved for removal due to disease, she would require two reforestation trees. Mr. Brown responded that he would be willing to reforest with more than one new tree.

Ms. Eig made a motion to direct Counsel to draft a decision approving the removal of one Hemlock tree measuring 14.0 inches in diameter located in the rear yard of the property provided the applicants reforest with at least two (2) deciduous hardwood trees that must be at least 2 ½ inches in caliper at the time of installation and must be of a species that achieves a mature height of at least 45 feet. Ms. Feldman seconded the motion. Dr. Kamerow, Ms. Eig, Ms. Feldman and Mr. Yeo voted in favor of the motion. The motion passed.

Old Business

Resolution No. 07-02-07: An ordinance to restrict the parking of motor vehicles in certain locations on West Lenox Street and Laurel Parkway.

Mr. Biddle stated that parking around the Village Hall is currently first come first serve. The proposed plan (graphic distributed in advance) will locate postal employee parking to Laurel Parkway in front of the Village Hall during the hours the Post Office is open. The proposed plan will also bring parking in front of the Village Hall on Laurel Parkway into compliance with current State and Montgomery County parking regulations by installing proper roadway markings and signage.

Ms. Eig stated that she was not in favor of this plan as a permanent solution because pedestrian circulation patterns and safety precautions need to be comprehensively addressed.

Ms. Eig suggested that the Village develop a plan with EDAW, Inc. to address the safe passage of pedestrians across the adjacent streets as well as improving the parking situation around the Village Hall.

Dr. Kamerow stated that he felt that the proposed plan was reasonable to implement in the short term and stated that he would like to look at addressing the entire area around the Village Hall including the wide intersection at West Kirke Street and Connecticut Avenue.

Mr. Yeo stated that the Board should move forward with this plan.

Dr. Kamerow stated that the Board would discuss a more comprehensive plan to address the parking and pedestrian safety issues around the Village Hall at its September meeting.

Dr. Kamerow, Ms. Feldman and Mr. Yeo voted to approve Resolution No. 07-02-07. Ms. Eig voted in opposition to the Resolution. The Resolution passed.

Village Donation Policy

Dr. Kamerow stated that the policy states that the Board may contribute to a charity if the following criteria are met:

1. The request must be made by a Village resident;

2. The contribution will provide a direct and material benefit to a significant number of Village residents;
3. The contribution will support a capital improvement or other extraordinary need of a public institution, program or facility as distinguished from supporting a current operating budget;
4. The contribution will supplement and not supplant funds from the requestor's primary funding source;
5. The contribution is critical to the success of the project;
6. The recipient of a contribution must be a government or quasi-government entity or a tax-exempt organization under Section 501 (c) of the Internal Revenue Code that supports a public institution, program or facility.

Ms. Feldman asked about how the Board can judge whether the contribution will be critical to a project's success and suggested changing the word "critical" in criterion number 5 to "important." The Board agreed.

The Board unanimously approved the Village Donation Policy as amended.

Contract Award Recommendation – Staff Assessment Survey

Mr. Biddle stated that he had received four (4) proposals to review the Village's current and anticipated staffing needs. Mr. Biddle added that he recommended Cheshire Consulting Group, LLC. Cheshire Consulting Group, LLC would be able to conduct the assessment and deliver their final report for Board review at its September meeting.

Ms. Feldman asked about what experience Cheshire Consulting Group, LLC has. Mr. Biddle responded that Cheshire has worked with many public agencies assisting the agencies in organization development, staffing and change management studies.

Ms. Feldman made a motion to authorize the Village Manager to enter into a contract with Cheshire Consulting Group, LLC to provide an organizational review and staff assessment of the Village Government. Mr. Yeo seconded the motion. Dr. Kamerow, Ms. Eig, Ms. Feldman and Mr. Yeo voted in favor of the motion. The motion passed.

New Business

Donation Request – Rosemary Hills Primary School

Neet Ford of 106 Summerfield Road presented the request on behalf of Rosemary Hills Primary School. Ms. Ford stated the school is currently raising money to supplement the \$20,000 appropriated by Montgomery County to replace the 15-year-old play equipment that does not meet current safety standards. Ms. Ford asked that the Village consider making a \$2,500 donation as well as a matching grant for Village resident contributions capped at \$2,500.

Ms. Ford stated that the Town of Chevy Chase and Section 5 have each contributed \$10,000 and Section 3 has contributed \$2,500 with a matching grant of \$5,000.

Mr. Yeo stated that he was in favor of the Village contributing.

Ms. Eig stated that she was in favor of contributing because the playground will also be available to all Village residents.

Liz Price of 106 Primrose Street asked if it was typical for the Village to make a matching grant commitment or could the Village just give a lump sum donation. Mr. Yeo stated that he does not recall the Board ever making a matching grant and moved that the Village give a lump sum of \$5,000.

Margaret Cook of 5410 Center Street asked why the money that the residents pay in State and County taxes are not being used to fund the playground and stated that Village tax dollars should be used for projects within the Village.

Margaret Sheridan of 5416 Center Street stated that she objected to the contribution to the public schools because Village tax dollars should not be used for that purpose.

Mr. Yeo made a motion to contribute a total of \$5,000 to the Rosemary Hills Primary School to replace the current playground equipment. Ms. Feldman seconded the motion. Dr. Kamerow, Ms. Eig, Ms. Feldman and Mr. Yeo voted in favor of the motion. The motion passed.

Resolution No. 07-01-07: Speed Camera Revenue Accounts

Dr. Kamerow stated that the Resolution would authorize creation of a new checking account into which revenues generated from photo speed enforcement cameras would be deposited.

The Board unanimously approved Resolution No. 07-01-07.

Chairman's Report

None.

Manager's Report

Citizens Coordinating Committee on Friendship Heights (CCCFH)

Mr. Biddle stated his original plans were to have a Village resident attend the monthly meetings as a representative of the Village. Jane Roemer of 5402 Center Street attended the June CCCFH meeting to determine if it was something to which she would be willing to commit. Ms. Roemer submitted an email prior to the meeting in which she wrote that she felt that she was not the best fit for attending the meetings. Ms. Roemer suggested that a Village staffer be assigned to monitor CCCFH meetings.

Ms. Eig stated that the meetings are not for staff to monitor and stated that the meetings are for residents.

Mr. Biddle stated that he would place an article in the September *Crier* to solicit resident volunteers.

Discussion - Environmental Committee/Working Group

Ms. Eig stated that Mr. Lawrence Heilman had already stepped forward and volunteered to Chair the start-up Committee/Working Group. His plan would be to meet with other interested Village volunteers to develop a mission statement and an overall plan of action and present them to the Board for feedback.

Mr. Yeo stated that when the Committee on Children, Youth and Families was started, the Chairperson was the only person appointed by the Board before the Committee met and developed its mission statement and plan before reporting to the Board and the same should be done with the Environmental Committee/Working Group.

Dr. Kamerow directed Mr. Biddle to communicate with Mr. Heilman to form the Environmental Committee/Working Group and present a mission statement and plan of action to the Board at its October meeting.

Purchase Authorization

Replacement Public Works Truck

Mr. Biddle stated that the FY2008 budget includes the scheduled replacement of the oldest Public Works truck. Mr. Biddle requested authorization to purchase the new truck under a Montgomery County contract for a total of \$81,012.31.

The Board unanimously authorized the Village Manager to purchase a replacement Public Works truck under Montgomery County contract #7507000445AD for a total cost of \$81,012.31.

Purchase Notification

New Trash Receptacles for Public Spaces

Mr. Biddle stated that the FY2008 budget includes the purchase of additional trash receptacles to match the previous years' purchase. Mr. Biddle notified the Board that he had initiated the purchase of six (6) new trash receptacles for a total cost of \$4,682.

Police Report

The monthly Police Report was distributed to the Board prior to the meeting.

Ms. Feldman made a motion to adjourn the open meeting and meet in Executive Session pursuant to Maryland Code, State Government Article, section 10-508 (a) (1) (i) to discuss a personnel matter. Mr. Yeo seconded the motion. Dr. Kamerow, Ms. Eig, Ms. Feldman, and Mr. Yeo voted in favor of the motion. The motion passed. The open meeting adjourned at 8:54 p.m.

Secretary, Chevy Chase Village Board of Managers

Final.